



**Montana Fish,
Wildlife & Parks**

1400 South 19th
Bozeman, MT 59718

November 23, 2001

To: Governor's Office, Todd O'Hair, Room 204, State Capitol, P.O. Box 200801, Helena, MT 59620-0801
Environmental Quality Council, Capitol Building, Room 106, P.O. Box 201704, Helena, MT 59620
Dept. Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901
Dept. of Fish, Wildlife & Parks:

Director's Office
FWP Commissioners
Lands Section

Legal Unit
Wildlife Division
Design & Construction

Fisheries Division
Dennis Flath

MT Historical Society, State Historic Preservation Office, P.O. Box 201202, Helena, MT 59620-1201
Montana State Parks Association, P.O. Box 699, Billings, MT 59103
Montana State Library, 1515 E. Sixth Avenue, P.O. Box 201800, Helena, MT 59620
James Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624
George Ochenski, P.O. Box 689, Helena, MT 59624
Park County Commissioners, 414 E. Callender, Livingston, MT 59047
Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771-1571
Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624
Wayne Hurst, P.O. Box 728, Libby, MT 59923
Glenn Hockett, Gallatin Wildlife Association, 745 Doane Road, Bozeman, MT 59715
Tom Sather, Headwaters Fish & Game Association, P.O. Box 1941, Bozeman, MT 59771-1941
Perry Backus, 65 Redtail, Dillon, MT 59725
John Gatchell, Montana Wilderness Association, P.O. Box 635, Helena, MT 59624
Public Lands Access Association, William Fairhurst, Box 247, Three Forks, MT 59752
Jack Atcheson, State Lands Coalition, 3210 Ottawa Street, Butte, MT 59701
Bob Raney, 212 South 6th, Livingston, MT 59047
Scot Shuler, USDA-FS, POB 5, Gardiner, MT 59030
Mountain Sky Guest Ranch, 222 East Main, Bozeman, MT 59715

Dear Ladies and Gentlemen:

A decision notice has been prepared by Fish, Wildlife & Park's (FWP) for the proposal to purchase a new fishing access along a 53.5-acre property along Big Creek, a tributary of the Yellowstone River in Park County, Montana. This purchase is intended to secure public recreational access to Big Creek and Sunny Brook Spring.

After review of this proposal and the corresponding comments, it is my decision to purchase the Hookham Big Creek Access property as proposed with an additional condition that parking be expressly limited to the small existing parking spot on the east boundary of the site. I find there to be no significant impacts associated with this action and conclude an Environmental Impact Statement is not needed. The completed EA is an appropriate level of analysis. This will be brought to the Commission for final approval December 13 or 14, 2001.

Sincerely,

Patrick J. Flowers
Regional Supervisor

DECISION NOTICE
HOOKHAM BIG CREEK ACCESS SITE ACQUISITION
Prepared by Region 3, Montana Fish, Wildlife & Parks
November 23, 2001

PROPOSAL

Montana Fish, Wildlife & Parks (FWP) proposes to purchase about 53.5 acres along Big Creek, a tributary of the Yellowstone River in Park County, Montana to provide public fishing access. Purchase price is \$7,000, to be paid to Arlis J. Fisk, the current owner. The property is subject to a Deed of Conservation Easement owned by the Montana Land Reliance.

Development will be limited to posting a sign or signs to identify the site and its use regulations, and (as a modification to the original proposal) to restrict parking to the east boundary of the site in a single small area where people have traditionally always parked. Total cost of these improvements would be less than \$1,000, provided from FWP Region 3 Parks maintenance budgets.

MONTANA ENVIRONMENTAL POLICY ACT (MEPA) PROCESS

MEPA requires FWP to assess the potential consequences of this proposed action for the human and natural environment. The proposal and its no action alternative, were detailed in an Environmental Assessment (EA) completed by FWP on October 15, 2001. Notice of this EA was published in two local newspapers, and was posted on the FWP web site for public review. A fourteen-day public comment period ended October 29, 2001.

ISSUES IDENTIFIED IN THE ENVIRONMENTAL ASSESSMENT

The Hookham Big Creek Access Site Acquisition EA identifies minor potential environmental impacts associated with the land purchase, modest site improvements, and the enhanced opportunity for public fishing access at this location. The EA also identifies the necessity to limit access site development to comply with terms of an existing Conservation Easement.

GENERAL SUMMARY OF PUBLIC COMMENTS AND NEWLY IDENTIFIED CONCERNS

We received three public comments on this proposal during the EA comment period. All comments were from individuals or groups in Park County. Two comments were from individuals who strongly support buying the property as proposed. The third comment raised concerns about 1) increased traffic and related road dust, 2) parking hazards if parking is not specifically restricted to a designated area, and 3) increased use of the stream and its implications for harming Yellowstone Cutthroat trout during their spawning season. All of these issues are addressed separately below.

A letter from the Montana Historical Society stated that no historic or archaeological sites are recorded within the property considered for purchase. Because no new ground disturbance is proposed, the FWP proposal has a low likelihood to disturb

cultural properties, even if they exist.

RESPONSE TO CONCERNS RAISED DURING THE PUBLIC COMMENT PERIOD

1) Acquisition of the property will greatly increase road traffic.

The Hookham property is located immediately adjacent to public lands owned by the Forest Service, and within one half mile of State Lands administered by the Department of Natural Resources and Conservation. Public use of this area is already established. The addition of 53.5 acres should not significantly alter the current attractiveness or use of the area, even acknowledging that about one mile of stream frontage will now be expressly available to public recreationists. Increased traffic would be a greater concern if the new property opened a previously unused drainage in which no public lands or access had existed. Since no significant new use of the road is anticipated, road dust and similar problems are likewise expected to occur at levels similar to previous use of the area, well below levels at which measurable harm to the stream or local environment would occur. Should this expectation prove wrong, temporary site closures and similar measures could easily eliminate traffic problems caused by the access site, when and if they develop.

2) Parking will create hazards if parking is not restricted to a designated area or areas.

The need to control vehicle parking in the access area is a recognized legitimate concern. The land purchase as proposed in the EA anticipated that use of the area would increase very little since people already use other public lands in the area for various recreational purposes. Balanced against the desire to establish controlled parking areas is the need to comply with terms of the Conservation Easement restricting development of the parcel. Encouraging people to use the east area parking spot that already exists was a compromise intended to satisfy safety concerns and legal constraints on site development. On further consideration, restricting parking to this location only is a desirable modification to the original proposal, for safety, and to limit the potential for harm from uncontrolled vehicle use of the site.

3) Increased use of the stream will harm Yellowstone cutthroat trout during their spawning season.


Small streams are sometimes subject to harm from over-fishing, and spawning is one season when fish can be more vulnerable to angler harvest. This is especially true of trout and similar species that concentrate numbers during their spawning migrations. However, Yellowstone cutthroat trout in Big Creek are already protected by a catch-and-release only fishing regulation. In addition, Yellowstone cutthroat trout typically spawn during peak spring runoff, a time when angling conditions are poor and when most people do not fish. Natural and regulatory protections exist. If angling or other recreational activities begin to harmfully affect fish populations, it would be easy to implement more restrictive regulations (prohibiting fishing during spawning months, for example) to eliminate this problem.

Nothing in providing angling opportunities is necessarily at cross-purposes with enhancing fish reproduction and survivorship: in fact the two purposes are directly aligned. Allowing stream use is not inconsistent with the objectives of FWP's water lease in Big Creek.

DECISION

After review of this proposal and the corresponding comments, it is my decision to purchase the Hookham Big Creek Access property as proposed, with the additional condition that parking be expressly limited to the small existing parking spot on the east boundary of the site.

I find there to be no significant impacts associated with this action and conclude that an Environmental Impact Statement is not needed. The completed Environmental Assessment is an appropriate level of analysis.



Patrick J. Flowers
Regional Supervisor
Bozeman, MT
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